



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Central Region Office

1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

September 22, 2022

Allan Gebhard
Barr Engineering
4300 Market Point Dr, Suite 200
Minneapolis, MN 55435

Re: Post September 8, 2022 meeting follow-up and response to Technical Memorandum on the subject Yakima Mill Site – Alternatives for Feasibility Study, dated and transmitted by Barr Engineering to Ecology on July 20, 2022:

- **Site Name:** Boise Cascade Mill
- **Site Address:** 805 N 7th St, Yakima, WA 98901
- **Facility/Site No.:** 450
- **Agreed Order No.:** DE 13959

Dear Allan Gebhard:

The Washington State Department of Ecology (Ecology) received your request to screen alternatives prior to the feasibility study. Our review resulted in a follow-up meeting to go over your request. Our meeting discussion also raised various related topics.

In this letter, we provide our response to your submittal, as well as Ecology comments on topics discussed during the meeting. We are providing this response and opinions under the authority of the Model Toxics Control Act (MTCA), Chapter 70.105D RCW.

Review Effort and Ecology Contributors

Ecology reviewed the Barr Engineering (BARR) Technical Memorandum on the Yakima Mill Site – Alternatives for Feasibility Study, dated July 20, 2022, for cleanup work identified in Agreed Order No. DE 13959. The follow up meeting on September 8, 2022, utilized a tailored Ecology Checklist for Key Project Meeting # 4, the Feasibility Study Planning Meeting as an agenda. This allowed for discussion of the submittal and insights on the Feasibility Study process.

This response provides feedback regarding your July 20, 2022 submittal and clarifies discussions and items presented in the September 8 meeting. Our goal is to provide you with the necessary information and clarification needed to ensure the site is cleaned up in accordance with the Agreed Order.

Contributors to the Ecology response included the following Ecology Toxics Cleanup Program – Central Region Office (TCP-CRO) Staff: John Zinza, Cleanup Project Manager Boise Cascade Mill Site; Jennifer Lind, Cleanup Project Manager Interstate 82 Exist 33A Yakima City Landfill; Arthur Buchan, Toxicologist; and Valerie Bound, TCP-CRO Section Manager.

Report Organization and Facilitating Agency Reviews.

To facilitate and expedite agency review, clarity and conciseness are critical in preparing and presenting the information in submitted documents. We found it very challenging in reviewing the submitted screening alternatives. One of the challenges for our review was the effort to associate the geographic areas of remedial action with the Area of Concerns (AOCs) established in the Remedial Investigation report. A comprehensive summary (including tables and figures) of site activities, findings, and results should be included in all future submittals. We shared this example at our meeting, which resulted in a discussion on how to address. Barr suggested this need for clarity could be addressed on the front end of the Feasibility Study. Ecology concurs and proposes the submittal of outline under the section *Moving Forward with the Feasibility Study*. First, please consider our response to the screening of alternatives Technical Memorandum.

Screening of Alternatives and Ecology Determination

In your Technical Memorandum, you present proposed cleanup action alternatives for an initial screening of alternatives, which is an optional action by the person conducting the feasibility study (see WAC 173-340-350(8)(b)). As we expressed at the meeting, other than the permanent solution, there is not a standard point of compliance included with your alternatives 1A through 4B. In accordance with WAC 173-340-350(8)(F) the feasibility study shall include alternatives with the standards point of compliance. You did not meet this requirement in your proposal, which prevents Ecology from making any determination.

A simple and unproductive response would be to request you to resubmit. However, we have decided that a better and more productive approach will be for Ecology to evaluate your options one by one and provide feedback. We are proposing to evaluate your alternatives with the goal of making a determination on all these alternatives by the end of October. We will provide more information on this matter, including the standard point of compliance, in a separate correspondence. The following section provides information regarding the Point of Compliance to help you in advancing forward to site cleanup.

Conditional Points of Compliance

As a reminder, Ecology must approve the use of Conditional Points of Compliance (POC) prior to finalizing the Feasibility Study (FS). (*Note: In addition to the Conditional POC(s), all institutional controls and deed restrictions must be approved by Ecology prior to finalizing the FS.*) To assist you in understanding how Ecology processes and makes a determination regarding a Conditional POC, we are providing a link to an Ecology document where Ecology made such a



determination. Please see page 6 of the [International Paper Facility, Longview - Maintenance Facility Area Remedial Investigation and Feasibility Study - Responsiveness Summary \(wa.gov\)](#).

¹ We hope that this example provides insight on the level of information that is required for Ecology to approve a Conditional POC.

The cleanup alternatives presented rely on the assumption that Ecology will approve the use of Conditional POCs. **That is premature at this point in the process.** In order to facilitate Ecology's determination regarding an proposed Conditional POC, the PLP's Consultant must provide detailed demonstration that a Standard POC is not practicable (due to technological limitations, environmental conditions, or other factors) to meet the cleanup level throughout the site within a reasonable time frame. Please propose a reasonable time frame and provide detailed support.

Moving Forward with the Feasibility Study (FS)

We heard your concerns during the meeting about revisiting the Remedial Investigation (RI). However, some data gaps prevent Ecology from evaluating cleanup alternatives. Both parties recognized the need to address the gaps. Next month, Ecology will provide comments to identify data gap, concerns, and need for clarity. We see benefit in your proposal to address these gaps by providing the detailed information we are looking for in the FS. **To ensure that we are on the same page regarding this matter, we are proposing that you provide an outline of the FS to Ecology in advance of the draft to allow us to comment as necessary.** We will develop a process to create the outline in future correspondence.

OTHER ITEMS DISCUSSED IN THE MEETING. See below:

Concern regarding the impact of MW-101

Barr pointed out that installing MW-101 was a critical path item in their effort to obtain four consecutive quarters of additional ground water data. Ecology will follow-up on this concern and provide a status in a separate response.

Clarification regarding time frame for reaching a Final FS Report

Barr pointed out at our meeting that the agenda identified a time frame of two years to reach a Final FS report (See bullet number 3 under the heading "Purpose of This Meeting" on page one of the agenda for the September 8, 2022 FS planning meeting). The text regarding the two year time frame was a carryover from the Checklist # 4 used to create the site specific agenda and is inconsistent with the time frame established in the Agreed Order. Please ignore this inconsistency and use the established time frame of a 120 days established in your Technical Memorandum.

¹ <https://apps.ecology.wa.gov/publications/documents/1804014.pdf>



Interim Actions

At our meeting, we discussed interim actions are a remedial action and are available to the PLP to address contamination on site, such as the Areas of Concern identified in the Remedial Investigation. As a reminder, the Agreed Order (No. DE 13959) for this site provides a provision and a process for either party (the PLP and/or Ecology) to propose an interim action (see Part VI. Ecology Determinations, H in the Agreed Order). As Ecology reviews the alternatives further during the month of October, we will be evaluating options for interim actions. Please anticipate that Ecology may propose interim actions in accordance with the Agreed Order.

Clarification about Preliminary Cleanup Levels

In our outline, we pointed out preliminary cleanup levels (PCULS) were missing for iron and manganese for groundwater. We will prepare a separate response to document the missing PCULs. As a reminder, PCULS are “preliminary” until the Cleanup Action Plan is finalized.

Protection of Surface Water and Cultural Resources

As you move forward, please consider:

- Protection of surface water, including porewater used by aquatic receptors (a key technical concern). The remedies should reflect that protection.
- Applicable or Relevant and Appropriate Requirements (ARARs). We heard ARARs as a concern, which we explore further with the Yakama Nation. We understand that Barr anticipates addressing ARARs in the FS.
- Cultural Resources: The Yakima Mill Site is in an area of likely “high risk” for impacts to cultural resources. All the proposed FS alternatives (except the no action alternative) should consider the appropriate cultural resource review process with state and Tribal entities and compliance with appropriate ARARs, applicable plans and training, and independent archaeological monitoring, as appropriate. Potential ground disturbances’ have probable significant impacts on cultural resources.

Note the importance of complying with [chapter 27.53 RCW](#), Archaeological sites and resources. Any questions on compliance with this RCW should be directed to the [Department of Archaeology and Historic Preservation](#).

We appreciate the attendance at the meeting by the Yakama Nation Fisheries program, who provided input on behalf of the Confederated Tribes and Bands of the Yakama Nation (Yakama Nation). As a reminder, WAC 173-340-130 (7) (on Interagency coordination) requires Ecology to ensure that Tribal governments are kept informed and as appropriate, involved in the development and implementation of remedial actions. Please reflect as you move forward.



Allan Gebhard
Barr Engineering
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Closing and Contact Information

Please anticipate the follow up responses identified above during the month of October. Ecology's responses will incorporate coordination with Jennifer Lind and Arthur Buchan as necessary during our effort. As we finish October with the screening of alternatives, we look forward to moving forward with the FS and will be requesting an updated schedule for the FS delivery.

If you have any questions about this response and these opinions, please contact me by phone at [360-480-1862](tel:360-480-1862) or e-mail at john.zinza@ecy.wa.gov.

Sincerely,



John Zinza, PE, Cleanup Project Manager
Central Region Toxics Cleanup Program

